Alliance OF AUTOMOBILE MANUFACTURERS

STATEMENT

OF

THE ALLIANCE OF AUTOMOBILE MANUFACTURERS

Hearing on
Reauthorization of the
National Highway Traffic Safety Administration

BEFORE THE:

SUBCOMMITTEE ON
COMMERCE, TRADE AND CONSUMER PROTECTION
OF THE
HOUSE ENERGY AND COMMERCE COMMITTEE

March 18, 2004

Thank you Mr. Chairman. My name is Robert Strassburger and I am Vice President of Safety at the Alliance of Automobile Manufacturers. I am pleased to be afforded the opportunity to offer the views of the Alliance at this important hearing. The Alliance of Automobile Manufacturers (Alliance) is a trade association of nine car and light truck manufacturers including BMW Group, DaimlerChrysler, Ford Motor Company, General Motors, Mazda, Mitsubishi Motors, Porsche, Toyota and Volkswagen. One out of every 10 jobs in the U.S. is dependent on the automotive industry.

SIGNIFICANT PROGRESS HAS BEEN MADE TO REDUCE FATALITIES AND INJURIES FROM MOTOR VEHICLE CRASHES, BUT CHALLENGES REMAIN

Over the past 20 years, significant progress has been made in reducing the traffic fatality rate. In 1981, the number of fatalities per 100 million vehicle miles traveled stood at 3.17. By 2002, this rate had been driven down by 52 percent to 1.51 fatalities per 100 million vehicle miles traveled. The level of competitiveness among automakers, which key industry observers have described as "brutal," has helped to accelerate the introduction of safety features ahead of regulation further aiding in the progress made.

Product safety is now an area in which manufacturers compete and seek competitive advantage. Safety "sells" and manufacturers are leveraging their safety performance and contenting in efforts to distinguish their products from competitors. According to the J. D. Power and Associates 2002 U.S. Automotive Emerging Technologies study, nine of the top 10 features most desired by consumers in their next new vehicle are designed to enhance vehicle or

occupant safety and manufacturers are responding to this increased consumer demand for safety across their entire product line.

Despite the progress made, however, data show that 42,815 people lost their lives on U.S. highways in 2002 and almost 3 million were injured. Tragically, 59 percent of vehicle occupants killed in crashes were not restrained by safety belts or child safety seats. Alcohol-related fatalities increased for the third consecutive year and were a factor in 42 percent of all fatalities. This is unacceptable. As a nation, we simply must do better.

The Alliance and our members are constantly striving to enhance motor vehicle safety. And, we continue to make progress. Each new model year brings safety improvements in vehicles of all sizes and types. But, as the General Accounting Office reaffirmed, vehicle factors contribute less often to crashes and their subsequent injuries than do human or roadway environmental factors[1]. We will never fully realize the potential benefits of vehicle safety technologies until we get vehicle occupants properly restrained and impaired drivers off the road.

INCREASED SAFETY BELT USAGE AND PREVENTING IMPAIRED DRIVING ARE NEEDED TODAY TO PREVENT NEEDLESS FATALITIES AND INJURIES

The single most effective way to reduce traffic fatalities and serious injuries in the short term is to increase the use of occupant restraint systems, safety belts and child safety seats. If the United States could increase its safety belt usage rate from the current 79 percent to 92 percent

[1] "Highway Safety – Research Continues on a Variety of Factors That Contribute to Motor Vehicle Crashes." United States General Accounting Office, GAO-03-436, March 2003.

(the same usage rate as in Canada) it is estimated that another 3,250 lives would be saved and countless injuries would be avoided. Members of the Alliance have a long and proud record in supporting increased safety belt usage beginning in the mid 1980's with funding for Traffic Safety Now, a safety belt advocacy group lobbying state governments for the passage of mandatory safety belt use laws, to participation in and funding of the Air Bag & Seat Belt Safety Campaign (Campaign). The Campaign is housed in the National Safety Council and principally funded by the voluntary contributions of motor vehicle manufacturers. The effectiveness of the Campaign is reflected in the increase in belt use from 61 percent, when the Campaign was formed in 1996, to today, with belt use now at 79 percent.

This 18-percentage point increase in belt use is largely due to high visibility enforcement Mobilizations coordinated by the Campaign in cooperation with The National Highway Traffic Safety Administration (NHTSA), state highway safety offices and law enforcement agencies in all fifty states. Recently, the largest Mobilization ever was conducted with more than 12,500 law enforcement agencies providing stepped up enforcement and close to $25 million in paid advertising to augment the enforcement effort. Funding for the enforcement ads, both national and state, comes from funds earmarked by Congress for this purpose. High visibility enforcement of safety belt laws has been extensively tested in more than twenty states. It has consistently achieved dramatic increases in safety belt use. The Administration has requested $20 million for the paid advertising that has proven to be a vital component of this effective program; we believe that it is important for Congress to continue to provide this funding.

Primary enforcement safety belt use laws are significantly correlated with higher safety belt usage levels. States with primary enforcement laws have average safety belt usage rates approximately 11 percentage points higher than states having secondary enforcement laws. Currently, only 20 states and the District of Columbia have primary safety belt laws. While the Campaign, through its lobbying efforts, has contributed to getting primary enforcement legislation enacted in several states, progress has been difficult to achieve. The Administration has requested significant funding for incentives to states passing primary enforcement laws. This proposal has merit and should be approved by Congress.

Impaired driving is also a significant highway safety problem and one that is getting worse. While substantial progress in reducing impaired driving was made in the last two decades, impaired driving is once again on the rise. Repeat offenders are disproportionately involved in fatal crashes. Congress should provide funding beyond the level proposed by the Administration to enable states to address this deadly problem.

In addition to the priority areas of increasing safety belt use and reducing impaired driving, Congress needs to provide adequate funding for the Section 402 State and Community Highway Safety Program.

ALLIANCE MEMBERS ARE AGGRESSIVELY PURSUING SAFETY ADVANCEMENTS, COLLECTIVELY AND INDIVIDUALLY

Advancing motor vehicle safety remains a significant public health challenge – one that automakers are addressing daily, both individually and collectively. Alliance members make huge investments in safer vehicle design and technology. Manufacturers not only meet, but exceed motor vehicle safety standards in every global market in which vehicles are sold. Many safety features currently available on motor vehicles in the U.S. were implemented ahead of regulation. A partial list of voluntarily installed advanced safety devices without or prior to regulation is attached. *See Attachment 1.*

The Alliance is pursuing a number of initiatives to enhance safety. We have redoubled and unified our activities to collectively address light truck-to-car collision compatibility and vehicle rollover. On February 11-12, 2003, the Alliance and the Insurance Institute for Highway Safety (IIHS) sponsored an international meeting on enhancing vehicle-to-vehicle crash compatibility. On February 13, 2003, the Alliance and IIHS sent NHTSA Administrator Runge a letter summarizing the results of this meeting, and indicating the industry planned to develop recommendations that auto companies could take to enhance crash compatibility.

Ten months later, on December 2, 2003, we delivered to NHTSA a multi-phase plan for enhancing the crash compatibility of passenger cars and light trucks. This plan was developed by an international group of safety experts. At the same time, we also delivered to NHTSA a commitment made on behalf of the world's automakers to begin to design cars and trucks according to the performance criteria specified in the group of experts' plan. This commitment will lead to significant improvements in the protection afforded to occupants in crashes. It is the most comprehensive voluntary safety initiative ever undertaken by automakers.

For the North American market, front-to-side crashes where the striking vehicle is a light truck or SUV, represent a significant compatibility challenge. We are placing a high priority on enhancing the protection of occupants inside vehicles struck in the side by, among other things enhancing head protection of occupants in struck vehicles. We expect our efforts to lead to measures that auto manufacturers can incorporate in their vehicles. We are working on efforts intended to aid the development of evaluation criteria that will be established to drive improvements in car side structures to reduce side impact intrusion and provide for additional absorption of crash energy.

With regard to front-to-front crashes, our initial plan focuses on specific recommendations to enhance alignment of front-end energy absorbing structures of vehicles. Manufacturers have been working to improve this architectural feature by modifying truck frames. The voluntary standard will govern structural alignment for the entire light-duty vehicle fleet and provide for an industry wide solution. In addition, through research to be undertaken, we expect to develop sophisticated test procedures for assessing the forces, and the distribution of these forces, which light trucks, may impose on cars in frontal crashes. These procedures should lead to more comprehensive approaches to measuring and controlling these forces. We also expect to develop state-of-the-art test procedures for measuring and controlling the frontal stiffness characteristics of passenger cars and light trucks.

These efforts to develop voluntary standards for crash compatibility and rollover, when combined with an industry commitment to design vehicles in accordance with them, is a model for voluntary industry action. These programs are proven to be a very effective way to bring

significant safety improvements into the fleet faster than has been historically possible through regulation. The voluntary standards process also has the flexibility to produce rapid modifications should the need arise.

The best way to illustrate the benefits for such an approach is to examine the recent development of the *Recommended Procedures for Evaluating Occupant Injury Risk From Deploying Side Airbags* finalized in August 2000. In response to concerns about potential injury risk to out-of-position (OOP) women and children from deploying side airbags, the Alliance, the Association of International Automobile Manufacturers (AIAM), the Automotive Occupant Restraints Council (AORC), and IIHS used a joint working group to develop test procedures with injury criteria and limits to ensure that the risk of injury to OOP occupants from deploying side airbags would be very limited.

After an intensive effort, the working group developed a draft set of procedures. This draft was presented in a public meeting on June 22, 2000. Comments were collected and the finalized procedures were presented to NHTSA on August 8, 2000. Now, just 2 model years later, 60 percent of Alliance member company side airbags have been designed in accordance with the August 8, 2000 *Recommended Procedures*. More importantly, the field performance of side air bags remains positive.

These *Procedures* and public commitment were also used by Transport Canada as the basis for a Memorandum of Understanding (MOU) between automobile manufacturers and the Canadian government.

Another Alliance initiative is assessing opportunities, which may further reduce the frequency and consequences of rollover. Rollovers represent a significant safety challenge that warrants attention and action. In releasing the preliminary statistics for 2002, NHTSA stated that, *"Fatalities in rollover crashes involving sport utility vehicles and pickup trucks accounted for 53 percent of the increase in traffic deaths."* In addition, although not mentioned by NHTSA, an increase in passenger car rollover fatalities accounted for 25 percent of the increase in traffic fatalities. Indeed, rollover fatalities occurring with passenger cars, SUVs, and pickups all contributed roughly equally to the increase observed. In fact, the increase in number of passenger car rollover fatalities was nearly 8 times higher than might otherwise had been forecasted from the growth in the number of registered passenger cars in 2002, over 2001.

Consequently, Alliance efforts to reduce the frequency and consequences of rollover involve passenger cars as well as SUVs, vans, and pickup trucks. Our efforts include developing a handling test procedure or recommended practice that will focus on an assessment of the performance of electronic stability control systems and other advanced handling enhancement devices. A typical rollover is one in which the driver becomes inattentive or distracted, loses control of the vehicle, and then strikes something that trips the vehicle, causing it to roll. Electronic stability control systems are designed to help drivers to keep out of trouble in the first place. However, should a rollover occur, the Alliance is assessing opportunities to enhance rollover occupant protection. We are assessing the current state of knowledge on injury causation during rollover crashes, and we are also working to determine the feasibility of developing test procedures to assess the performance of countermeasures designed to further reduce the risk of occupant ejection in rollover crashes.

Alliance members are also individually pursuing initiatives to enhance motor vehicle safety. One such initiative that has received widespread support is the installation of vehicle-based technologies to encourage safety belt usage. Preliminary research on one system deployed in the United States by one Alliance member found a statistically significant 7 percent increase in safety belt use for drivers of vehicles equipped with that system compared with drivers of unequipped vehicles. NHTSA estimates that a single percentage point increase in safety belt use would result in an estimated 250 lives saved per year. Beginning in model year 2004, all members of the Alliance began deploying various vehicle-based technologies to increase safety belt use. The rollout of these technologies will continue over the next few model years. These actions – in addition to saving lives – will provide valuable field experience concerning the absolute and differential effectiveness and acceptability of a range of safety belt use inducing systems. The experience gained will ultimately lead to future systems with enhanced effectiveness.

COMPREHENSIVE AND CURRENT DATA IS NECESSARY TO MAKE INSIGHTFUL AND SOUND PUBLIC POLICY DECISIONS

NHTSA's two key traffic crash database programs, the National Automotive Sampling System (NASS) and the Fatality Analysis Reporting System (FARS) provide crucial information to safety planners and vehicle design engineers. The NASS program, in particular, has been chronically under-funded. On October 17, 2002, the Alliance and various other safety groups sent a letter to NHTSA Administrator Dr. Jeffrey Runge outlining the importance of sound crash

and injury data. The Alliance emphasized the need for additional funds for NASS in order to evaluate the effectiveness of both behavioral and vehicular safety measures. See ***Attachment 2***.

The Administration has proposed substantial funding to upgrade state traffic records systems. Improved state record systems can help improve the quality of FARS data and assist states in establishing safety program priorities. The Alliance strongly supports upgrading state and federal crash data systems and urges Congress to provide appropriate levels of funding for them. The Alliance believes this funding is critical because future NHTSA rulemakings should be data-driven, supported by scientifically sound evidence, and demonstrate the potential for effective safety benefits without undesired side effects.

The Alliance also sponsors a significant amount of safety research that is shared with the safety community. The Alliance is sponsoring a program to collect-real world crash data on the performance of depowered and advanced air bags at three sites around the U.S. (Dade County, Florida, Dallas County, Texas, and Chilton, Coosa, St. Clair, Talledega, and Shelby Counties in Alabama). This program adds valuable information about air bag performance to the extensive crash data already being collected by NHTSA through NASS. The Alliance is committed to funding this program that will run through 2005. The current Alliance commitment for the advanced air bag research is $4.5 million over 4 years. The Alliance project will observe all the NASS data collection protocols so that the Alliance funded cases can be compared with, and evaluated consistently with, other cases in the NASS dataset.

In addition to adequate funding for NASS, the Alliance believes it important for NHTSA to have the resources necessary to conduct a comprehensive study of crash causation similar to the multi year "Indiana Tri-Level Study" that was completed 25 years ago. Researchers at Indiana University Bloomington's Institute for Research in Public Safety conducted the *Tri-Level Study of the Causes of Traffic Accidents* from 1972 through 1977. According to NHTSA officials, the Indiana Tri-Level Study has been the only study in the last 30 years to collect in-depth, on-scene crash causation data. NHTSA relies on it today because other NHTSA data is collected from police crash reports or collected days or weeks after the crash, making it difficult to obtain causation data. Significant advancements in vehicle safety technology and design have occurred since then, making this study rather obsolete as a baseline on which to base substantial regulatory decisions.

Therefore, the Alliance strongly supported the National Highway Traffic Safety Administration's FY 2004 budget request for $7 million and supports the FY 2005 budget request for $10.2 million, so that NHTSA can effectively update their crash causation data. An updated study would help guide and enlighten public policy aimed at reducing the frequency of traffic crashes, injuries, and fatalities. This is a crucial step toward improving the quality of data available to inform sound regulatory decision-making at NHTSA.

THE NHTSA MANDATED RULEMAKINGS IN THE SENATE PASSED HIGHWAY BILL PREJUDGE THE RULEMAKING PROCESS

The NHTSA reauthorization provisions in the Senate passed bill would mandate that more than 10 new major motor vehicle safety rulemakings would have to be enacted over the

next 2-4 years. Each rulemaking must comply with a rigid, predetermined schedule for the NPRM and promulgation of the final rule. Most of the rules would cover all vehicles up to 10,000 pounds GVWR (which includes a large number of incomplete vehicles).

The Alliance strongly opposes the mandated rulemakings in the Senate bill. While we support and participate in the rulemaking process, we firmly believe that any final rule, if appropriate, should be based on sound data, public comment, consideration of economic consequences and provide appropriate lead-time. By requiring that rules *must* be issued on specific subjects, regardless of the public rulemaking record on that subject, the Senate bill's approach to improving safety could actually result in *less* safety by forcing NHTSA and the industry to forego rulemaking and products decisions on higher priority items.

In addition to prejudging the outcome of the rulemaking process, the Senate bill also sets unrealistic deadlines, both in terms of the Safety Act's requirement that NHTSA promulgate objective and practicable standards that meet the need for motor vehicle safety and vehicle manufacturers' ability to redesign vehicles to meet the new requirements. The bill also provides little flexibility for problems or conflicts in setting new standards covering many aspects of future vehicle designs that are typically encountered in rulemaking.

By mandating that new and far-reaching rules be issued regardless of the public record in the rulemaking proceeding and independent of data and analysis that identify *future*, as compared to *prior,* safety problems, the Senate bill would override the safety priorities that NHTSA has developed through an elaborate public process as well as the priorities of manufacturers in

bringing new safety technology to the market as quickly as possible. And, by mandating that rules be issued regardless of the public record in the rulemaking, the potential for unintended consequences—which NHTSA itself has identified in testimony on the Senate bill increases.

The complexity of safety rulemakings requires that careful attention be accorded to the inherent tradeoffs associated with regulations. In the past, we have seen tradeoffs among adult high-speed protection in frontal crashes and associated harm to children in low-speed crashes. The March 6, 2004 *Status Report*, by the IIHS notes that the 1997 rule issued by NHTSA that allowed manufacturers to produce "depowered" air bags was the right decision then and still is now. In designing occupant restraint systems, manufacturers must carefully balance high-speed and lower-speed protection, protection for belted vs. unbelted occupants, and protection for large adults and smaller adults and children. All involve safety tradeoffs. The subjects in the Senate bill require tradeoffs between what is known as "self-protection" vs. "partner protection" (i.e., protection in the subject vehicle vs. the potential harm posed by the design of that vehicle when it crashes into other vehicles), whether stronger roofs might result in a higher rate of rollover because of added structure to the top of the vehicle, as well as whether window treatments to reduce ejections for unbelted occupants could lead to increased head and neck injuries to belted occupants. The "expert" agency established by the Congress to address these issues—NHTSA—should make regulatory decisions based on a sound public record, and not based on arbitrary deadlines.

THE POTENTIAL BENEFITS OF VEHICLE SAFETY TECHNOLOGIES CAN NOT BE FULLY REALIZED UNTIL VEHICLE OCCUPANTS ARE PROPERLY RESTRAINED AND IMPAIRED DRIVERS ARE OFF THE ROAD

Motor vehicle safety is a shared responsibility among government, consumers and vehicle manufacturers. Auto manufacturers are more committed than ever to developing advanced safety technologies to reduce fatalities and injuries resulting from motor vehicle crashes. But as a nation, we will never fully realize the potential benefits of vehicle safety technologies until we get vehicle occupants properly restrained and impaired drivers off the road. In this regard, Congress has a unique role to play by:

- Enacting incentives for states that pass primary enforcement safety belt laws and ensuring high visibility enforcement of these laws by providing adequate funding for paid advertising and Section 402 State and Community Highway Safety Programs;

- Providing funding beyond the level proposed to address the deadly problem of impaired driving; and

- Authorizing adequate funding for a modern, comprehensive study of crash causation and to update state and federal crash data systems.

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ATTACHMENT 1

"VOLUNTARILY INSTALLED SAFETY DEVICES"

A partial list of voluntarily installed advanced safety devices (w/o or prior to regulation)

Crash Avoidance Advances
Tire/suspension optimization
Automatic brake assist
Electronic stability controls to help drivers maintain vehicle control in emergency maneuvers
Anti-lock brakes
Traction control
Obstacle warning indicators
Active body control
Intelligent cruise control
Convenience controls on steering wheel to minimize driver distraction
Automatic obstacle detection for sliding doors on minivans
Head-up displays
Child-proof door locks
Automatic speed-sensitive door locks

Vision
Automatic dimming inside mirrors to reduce headlamp glare
Heated exterior mirrors for quick deicing
Rear defrost systems, wipers
Headlamp wiper/washers
Automatic-on headlamps
Automatic-on headlamps when wipers are used
Infinitely variable wiper (only 2 req'd by regulation)
Night vision enhancements
Advanced lighting systems
Right side mirrors

Crashworthiness Advances
Side air bags for chest protection
Side air bags for head protection that reduce ejection
Rollover triggered side/curtain air bags
Advanced air bags (e.g. dual stage inflators) several years in advance of regulatory requirements
Safety belt pre-tensioners
Rear center seat lap/shoulder belts
Load-limiting safety belts to reduce chest injuries
Improved belt warning indicators
Rear seat head restraints
Integrated child seats
Anti-whiplash seats
Breakaway mirrors for pedestrian protection

Post Crash
Automatic notification to emergency providers during air bag deployment

ATTACHMENT 2

October 17, 2002

The Honorable Jeffrey W. Runge, M.D.
Administrator
National Highway Traffic Safety Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

RE: National Automotive Sampling System: Increased Funding

Dear Dr. Runge:

Sound crash and injury data are critical components needed for advanced vehicle safety design and for both initiating and evaluating countermeasures for improving highway safety. The National Highway Traffic Safety Administration's (NHTSA) Fatality Analysis Reporting System provides comprehensive data on people dying in motor vehicle crashes throughout the United States. These data have enjoyed widespread use in the evaluation of many motor vehicle safety countermeasures and their effectiveness in reducing motor vehicle death. NHTSA's National Automotive Sampling System Crashworthiness Data System (NASS/CDS) is an essential resource that provides the agency, researchers, vehicle manufacturers -- indeed the entire safety community -- with a detailed crash and injury causation database suitable for identifying traffic safety issues, establishing priorities, assisting in the design of future countermeasures and for evaluating existing countermeasures.

The NASS/CDS provides in-depth crash investigations of a representative sample of police-reported tow-away crashes throughout the United States, so data can be weighted to provide a nationwide estimate of crashes of all severities according to the severity of injuries. Furthermore, researchers can examine the detailed crash investigations in depth to learn about crash characteristics and injury causation focusing on subsets of the data. For example, such investigations have proven to be of critical importance in the understanding of airbag performance – the conditions under which airbags save lives, but also when they contribute to occupant injury.

The application of sound science to improve traffic safety requires that real world data or field data be used wherever possible. The continuation of vehicle and highway safety improvements requires a solid factual basis. However, the essence of such investigations is timeliness. As the recent experience with frontal airbags has taught us, we need to understand as soon as possible how new vehicle technologies, such as airbags, are performing in the real world. And with new technologies being introduced at such a fast pace, it is now more important than ever to understand how these technologies are performing in the real world.

The agency's NASS/CDS database is one of the most comprehensive databases in the world to look in depth at the causes of motor vehicle injury. However, we are concerned that the budget for NASS has not kept pace with either the agency's informational needs or inflation. The NASS program has been constrained by either flat or reduced funding at a time when technological developments (e.g., advanced frontal and side air bags, telematics) and occupant behavior (from increased seat belt use to booster seat

installations) are changing. We believe it is important to ensure that NHTSA continues to have the ability to evaluate actual field performance on a national basis.

Therefore, NASS must have the resources necessary to collect high-quality, real-world data by conducting investigations at the full complement of sites that will provide statistically valid, nationally representative data on a timely basis. The NASS reorganization of the mid 1980's called for 36 Primary Sampling Units. Currently, NASS has the resources to conduct investigations at only 24 sites. The effectiveness of NASS has also been subject to inflationary increases in operating costs of about 3-5 percent per year, which have been offset by reducing field staff. This has resulted in fewer cases reported from the 24 sites.

From the original projections of 7000 cases annually, NASS has been reduced to providing only about 4500 cases annually across the spectrum of crash types and severities. The result is that there are often too few cases of serious injury to make an informed decision about the sources and mechanisms of injury in motor vehicle crashes (for example, in side impacts, or in crashes involving children) without having to include data from many years of data collection. This blunts our ability to look at current issues in real time. We believe NASS should be funded at a level that will restore NASS to its design scope to ensure critical "real-world" data can be collected at a sufficient number of sites to produce the statistically valid, nationally representative sample originally intended. Initially, the NASS design called for 50 active sites.

Thus, we believe it is critical that the proposed NHTSA fiscal year 2004 budget include a request to fully fund NASS, so that our ability to evaluate the effectiveness of both behavioral and vehicular safety measures is enhanced. We stand ready to support you in this most important endeavor.

Sincerely,

Josephine S. Cooper
President and CEO
Alliance of Automobile Manufacturers, Inc.

Phil Haseltine
President
Automotive Coalition for Traffic Safety

Timothy C. MacCarthy
President and CEO
Association of International Automobile Manufacturers, Inc.

Yvonne McBride
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